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April 23, 2020

Subject: State of Emergency Billing

Dear ACRC Service Providers,

On March 4, 2020, Governor Gavin Newsom declared a State of Emergency for California, as a result of the global COVID-19 outbreak (otherwise being referred to as Coronavirus). This memo will provide guidance to service providers for State of Emergency (SOE) billing for Alta California Regional Center (ACRC) vendored providers. This billing guidance will remain in effect through the State of Emergency for the State of California or until it is superseded by direction from the State of California or additional direction from ACRC.

In accordance with the March 12, 2020 Department of Developmental Services (DDS) Directive, service providers may bill for non-residential services due to the precautionary measures for COVID-19 or a direct relation to COVID-19. Service providers must maintain clear documentation that supports the closure of your agency, cancellation of service due to COVID-19, and SOE billing in the event of a future audit as all respective Title 17 regulations still apply. To justify billing for absences, providers must retain documentation showing they are continuing to pay staff at their regular wages and benefits. **Note this guidance emphasizes all service providers billing for absences for non-residential services may only bill for those absences that are above their normal absence rate.**

If a service provider is billing the regional center for absences pursuant to the DDS Directive and has also received a loan from the Paycheck Protection Program, an Employee Retention Tax Credit or other tax-related provisions of the CARES Act, you must inform the Accounting Department via email to [POS@altaregional.org](mailto:POS@altaregional.org). Your Purchase of Service billing may be subject to audit and repayment to the regional center may be required.

If your services have been impacted by COVID-19, please follow the billing guidance below. If you were not impacted by COVID-19, bill as you normally would. Please review the Directives from the Department of Developmental Services related to State of Emergency billing and operations located at <https://www.dds.ca.gov/rc/regional-center-directives/>.

**Residential Care Providers (Community Care Facilities, Intermediate Care Facilities, Supported Living, Family Home Agencies)**

In the event that additional hours were needed to assist persons served due to COVID-19, please contact the Service Coordinator for authorization. Please maintain all proper support and documentation to support the increase in hours.

### Providers intending to bill for non-residential absences/cancelations

Title 17, CCR section 54326(a)(11) states in part:

*“If payment for absences due to a State of Emergency is authorized by the Department, the vendor shall bill only for absences in excess of the average number of absences experienced by the vendor during the 12-month period prior to the month in which the disaster occurred.”*

If impacted by COVID-19, follow these steps to bill for SOE related absences:

1. Calculate the actual attendance for the month you are billing. (Example = 100)
2. Calculate the absences that month due to COVID-19. (Example = 35)
3. Calculate the total absences during the 12-month period (*if operating less than 12 months, use the number of months you have been operating*) prior to the month you’re billing. (Example = 36)
4. Divide the 12-month total absences (from Step 3) by 12. This provides the average monthly absences for this 12-month period. (Example =  $36/12=3$ )
5. Take the absences due to COVID-19 (from Step 2) and subtract the average monthly absences (from Step 4). The difference is the absence amount that you may bill for (it must be rounded to the nearest whole number and cannot be negative). (Example =  $35-3= 32$ )
6. Bill for the actual attendance during the month you’re billing for (from Step 1) plus the difference between the absences due to COVID-19 and the average monthly absences (Step 5). ( $100+32 =132$ )
7. Maintain all proper support and documentation to support your calculations and billings.

**For all those billing for absences, you must provide your calculation via email to**

**[POS@altaregional.org](mailto:POS@altaregional.org).**

**Use this format:**

Vendor #	(Step 1) Actual attendance for April	(Step 2) Absences in April due to COVID-19	(Step 3) Total absences in the last 12 months	(Step 4) Total 12 month absences divided by 12	(Step 5) Step 2 minus Step 4	(Step 6) Step 1 plus Step 5
<b>Example</b> HA1234	100	35	36	3	32	132

### Payment

We also want to reiterate ACRC’s long standing practice and publicized billing payment timelines of the 15<sup>th</sup> of the month if you have submitted your E-Billing invoice by the 8<sup>th</sup> calendar day of the month. Otherwise, all other payments will be by the last business day of the month. Please note payments may take up to two business days for the EFT to process with your bank. On occasion, ACRC may process payments earlier than the 15<sup>th</sup>, but this should not be understood as a basis for future payment timings. The fact you receive payment early one month does not assure the same timing may happen the next month. The only guarantee that we can provide is based on the two payment dates mentioned.

### General Notes

If additional services were provided due to COVID-19, bill for the actual service hours provided. Please contact the Service Coordinator for authorization.

**No other billing for non-residential absences/cancelations are allowable**, other than waivers of the Lanterman Act or the California Code of Regulations, Title 17 explicitly stated in a DDS Directive (i.e. bed holds for residential facilities described in the April 15, 2020 DDS Directive).

For all providers billing services under this State of Emergency declaration, please enter a comment in eBilling in the Comments Log that states, “Billing as outlined in State of Emergency”.

As mentioned previously, this guidance is subject to change based on direction from the State of California.

Thank you for taking precautionary measures and assisting our persons served to remain safe and healthy during this critical time. If you have any SOE billing questions, please email [POS@altaregional.org](mailto:POS@altaregional.org).

Sincerely,

*Original signed by*  
Iqbal Ahmad  
Chief Financial Officer

*Original signed by*  
John W. Decker  
Director of Community Services & Supports